

**CHARTER AND ONLINE SCHOOLS -  
PARTICIPATION IN EXTRACURRICULAR  
ACTIVITIES**

2008 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE**

**General Description:**

This bill addresses the eligibility of charter school students and students who participate in online education programs to participate in extracurricular activities.

**Highlighted Provisions:**

This bill:

- ▶ provides that a charter school student is eligible to participate in extracurricular activities not offered by the student's charter school at:
  - the public school within whose boundaries the student's custodial parent or legal guardian resides; or
  - a public school that is open for the enrollment of nonresident students;
- ▶ provides that a student who participates in an online education program sponsored or supported by a school district or charter school is eligible to participate in extracurricular activities at:
  - the public school within whose boundaries the student's custodial parent or legal guardian resides; or
  - a public school that is open for the enrollment of nonresident students; and
- ▶ allows a board of education of a school district to establish a fee for the participation of a charter school student or online education student in an extracurricular activity at a district school.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**53A-1a-519**, Utah Code Annotated 1953

**53A-2-214**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-1a-519** is enacted to read:

**53A-1a-519. Charter school students' participation in extracurricular activities at other public schools.**

(1) A charter school student is eligible to participate in extracurricular activities not offered by the student's charter school at:

(a) the school within whose attendance boundaries the student's custodial parent or legal guardian resides; or

(b) a school that is open for the enrollment of nonresident students under Section 53A-2-207 and rules of the State Board of Education.

(2) A school other than a school described in Subsection (1)(a) or (b) may allow a charter school student to participate in extracurricular activities other than:

(a) interschool competitions of athletic teams sponsored and supported by a public school; or

(b) interschool contests or competitions for music, drama, or forensic groups or teams sponsored and supported by a public school.

(3) A charter school student is eligible for extracurricular activities at a public school consistent with eligibility standards as applied to full-time students of the public school.

(4) A school district or public school may not impose additional requirements on a charter school student to participate in extracurricular activities that are not imposed on full-time students of the public school, except as provided in Subsection (5).

(5) (a) (i) A board of education for a school district may charge a fee to a charter school for a charter school student's participation in an extracurricular activity at a district school.

(ii) The fee charged to a charter school is in addition to the fee charged to students who participate in the extracurricular activity.

(b) A fee established under Subsection (5)(a) shall be calculated as follows:

(i) subtract from the cost of conducting the extracurricular activity at the district

63 school:  
64 (A) capital facilities costs;  
65 (B) student fees paid for participation in the extracurricular activity;  
66 (C) gate receipts and other sales receipts attributed to the extracurricular activity; and  
67 (D) private donations dedicated to the extracurricular activity; and  
68 (ii) divide the remainder by the number of students enrolled in the district school.  
69 (6) When selection to participate in an extracurricular activity at a public school is  
70 made on a competitive basis, a charter school student is eligible to try out for and participate in  
71 the activity as provided in this section.

72 Section 2. Section **53A-2-214** is enacted to read:

73 **53A-2-214. Online students' participation in extracurricular activities.**

74 (1) As used in this section:

75 (a) "Online education" means the use of information and communication technologies  
76 to deliver educational opportunities to a student in a location other than a school.

77 (b) "Online student" means a student who:

78 (i) participates in an online education program sponsored or supported by the State  
79 Board of Education, a school district, or charter school; and

80 (ii) generates funding for the school district or school pursuant to Subsection  
81 53A-17a-103(5) and rules of the State Board of Education.

82 (2) An online student is eligible to participate in extracurricular activities at:

83 (a) the school within whose attendance boundaries the student's custodial parent or  
84 legal guardian resides; or

85 (b) a school that is open for the enrollment of nonresident students under Section  
86 53A-2-207 and rules of the State Board of Education.

87 (3) A school other than a school described in Subsection (2)(a) or (b) may allow an  
88 online student to participate in extracurricular activities other than:

89 (a) interschool competitions of athletic teams sponsored and supported by a public  
90 school; or

91 (b) interschool contests or competitions for music, drama, or forensic groups or teams  
92 sponsored and supported by a public school.

93 (4) An online student is eligible for extracurricular activities at a public school

94 consistent with eligibility standards as applied to full-time students of the public school.

95 (5) A school district or public school may not impose additional requirements on an  
96 online student to participate in extracurricular activities that are not imposed on full-time  
97 students of the public school, except as provided in Subsection (6).

98 (6) (a) (i) A board of education for a school district may charge a fee to a school  
99 district or charter school that supports or sponsors a student's online education program for the  
100 online student's participation in an extracurricular activity at a district school.

101 (ii) The fee charged to the school district or charter school is in addition to the fee  
102 charged to students who participate in the extracurricular activity.

103 (b) A fee established under Subsection (6)(a) shall be calculated as follows:

104 (i) subtract from the cost of conducting the extracurricular activity at the district  
105 school:

106 (A) capital facilities costs;

107 (B) student fees paid for participation in the extracurricular activity;

108 (C) gate receipts and other sales receipts attributed to the extracurricular activity; and

109 (D) private donations dedicated to the extracurricular activity; and

110 (ii) divide the remainder by the number of students enrolled in the district school.

111 (7) When selection to participate in an extracurricular activity at a public school is  
112 made on a competitive basis, an online student is eligible to try out for and participate in the  
113 activity as provided in this section.